

# Kramer Levin

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December 11, 2023

**VIA ECF & EMAIL**

Hon. Alvin K. Hellerstein  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007

Re: *United States v. Hwang, et al.*, 22 Cr. 240 (AKH)

Dear Judge Hellerstein:

On behalf of defendants Bill Hwang and Patrick Halligan, we write to update the Court regarding the negotiations over the Rule 17 subpoenas and, with the consent of the government, request an adjournment of the conference scheduled for December 12, 2023 in light of the ongoing negotiations.

The parties met with counsel for a significant number of the proposed subpoena recipients (the “Bank Counterparties”) on November 21, 2023, pursuant to the Court’s order. Since that meeting, the defendants have held productive conversations with many of the Bank Counterparties regarding the specific documents and materials maintained by each Bank Counterparty that are potentially responsive to the revised subpoena requests that were discussed.

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These discussions are continuing and may negate the need for further Court intervention, or narrow the disputed issues. Accordingly, Mr. Hwang and Mr. Halligan respectfully request an adjournment of the court conference to the first week of January to allow sufficient time for these discussions to conclude.<sup>1</sup> The government consents to this request. This is the second request for an adjournment.

Respectfully submitted,

/s/ Barry H. Berke

Barry H. Berke  
Dani R. James  
Jordan Estes

cc: Mary E. Mulligan  
Timothy M. Haggerty  
Anil K. Vassanji

cc: Matthew D. Podolsky  
Alexandra N. Rothman  
Samuel P. Rothschild  
Andrew M. Thomas

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<sup>1</sup> The parties prefer January 4, if that date is convenient for the Court.